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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.   | CONFIRMATION NO. |
|-----------------|-------------|----------------------|-----------------------|------------------|
| 09/823,236      | 03/30/2001  | Hai Chi Nguy         | Q01-1025-US1/11198.64 | 6324             |

7590 09/20/2005

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EXAMINER

DAVIS, DAVID DONALD

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2652

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/823,236

Applicant(s)

NGUY, HAI CHI

Examiner

David D. Davis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 51-77 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 51-77 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:

- 1) ☐ Certified copies of the priority documents have been received.
- 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Continued Prosecution Application*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 6, 2005 has been entered.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 51-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakazawa et al (JP 10-069763) in view of Wernick (Magnetic Materials, Bulk). Nakazawa shows in figure 1 a disc drive and discloses that the drive includes a storage disk having a substantially planar disk surface. Figure 1 of Nakazawa also shows a disk housing 1 that retains the storage disk. Housing 1 has a thickness that is measured in a first direction, and includes a shield portion having a thickness measured in a first direction that is substantially similar to the housing thickness. Nakazawa depicts and discloses shielding in a direction substantially perpendicular to the disk surface to at least partially shield the storage disk from an external magnetic field. Nakazawa also discloses at least part of the shield portion positioned substantially parallel to the

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disk surface with part of the shield portion having an area that is at least as great as a surface area of the disk surface.

Nakazawa is silent, however, as to the shield portion being formed from a material having a relative permeability that provides an attenuation field of at least 50 db. Nakazawa is also silent as to the shield portion being selectively positioned so that at least part of the exterior surface is devoid of the shield. Nakazawa is additionally silent as to the specific thickness of the shield portion.

Wernick discloses in section 2.4 a Ni-Fe material having a relative permeability at least approximately 100,000 that provides an attenuation field of at least approximately 25 dB.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to specify the material of the shield of Nakawaza as taught by Wernick. The rationale is as follows: one of ordinary skill in the art at the time the invention was made would have been motivated to specify that the shield material was Ni-Fe, which is well within the purview of a skilled artisan and absent an unobvious result, because Ni-Fe is ideal for magnetic shielding.

It also would have been obvious to a person having ordinary skill in the art at the time the invention was made to selectively position the shield of Nakawaza so that at least a part of the exterior surface was devoid of the shield. The rationale is as follows: the purpose of the shield is to reduce the influence of electromagnetic flux for the elements inside and outside the housing. Therefore, the shield need not cover the entire housing to reduce the influence of electromagnetic flux on certain elements. Realizing this, one of ordinary skill in the art at the time the invention was made would have been motivated to remove the shield from a portion of the housing, which

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is well within the purview of a skilled artisan and absent an unobvious result, so as to shield specific elements while reducing weight and cost of the overall device.

It additionally would have been obvious to a person having ordinary skill in the art at the time the invention was made to specify the thickness of the shield portion of Nakawaza. The rationale is as follows: one of ordinary skill in the art at the time the invention was made would have been motivated to specify the thickness of the housing, which is well within the purview of a skilled artisan and absent an unobvious result, to effectively optimize the weight and shield characteristics of the housing.

***Response to Arguments***

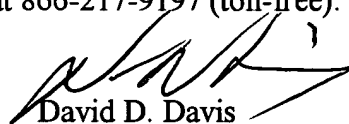
4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Davis whose telephone number is 571-272-7572. The examiner can normally be reached on Monday thru Friday between 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David D. Davis  
Primary Examiner  
Art Unit 2652

ddd